UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
DIVISION
Criminal No. 03-344 (2) (MJD/RLE)

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	DEFENDANT'S PROPOSED VOIR
	)	DIRE QUESTIONS
PAULA RAE PETRUK,	)	
	)	
Defendant.	)	

INDIVIDUAL JURORS BACKGROUND

1. What is your address?
2. How long have you lived at this address?
3. What neighborhood do you live in?
4. What is the racial and ethnic makeup of your community?
5. How serious a problem is crime in your neighborhood?
6. What are the most common type(s) of crime(s) in your area?
7. What is your profession or employment?

   Please tell us about the place where you work and the job responsibilities you have.

   IF RETIRED OR NOT PRESENTLY EMPLOYED OUTSIDE THE HOME:

   If you have ever been employed outside the home, what did you do?

   Do you supervise other people?

   How long have you had this particular job?

   What other types of jobs have you had?

   What do you like best and least about your work?
8. Are you married?

   How long?

9. What is your spouse's employment?

How long?

10. What is your educational background, what kinds of training have you received?

11. Where did you go to school?

12. What is your degree in?

When did you receive it?

Have you ever taken any courses in law or law enforcement?

Paramedic or emergency training? Accident reconstruction?

13. Are you active in a church?

If so, which?

14. How often do you attend church?

15. Do you have children?

If so, their ages, and employment if any.

16. Do you belong to any organizations, such as neighborhood or social clubs, a union or professional organizations, political or church related organizations?

Do you do any volunteer work?

How active are you in this organization?

What kinds of activities do you participate in?

Have you ever held an office or served on a committee in this organization?

What is the purpose of this organization?

17. What kinds of spare time activities do you enjoy, such as sports or hobbies?

18. Do you have any religious or philosophical convictions which would make it difficult for you to be an absolutely fair and neutral juror in this case?

19. Did you ever serve in the military? What branch? Where? What was your rank?

20. Do you own any weapons?

21. Do you have any obligations that require you to be home, or somewhere else at a certain time each day?

22. Have you ever been a witness in any case in any court?

23. What type of case were you a witness in? What court? When?

24. Who were you a witness for?

25. Have you ever been employed by a law enforcement agency?

26. Have you had a recent conversation about the problem of crime in this or any other city?

27. How do you get your news? (i.e. from the newspapers, radio, television, all three or other sources?)

    Which newspapers do you read?

    What sections of the newspaper do you usually read?

    What television news programs do you watch?

    What magazines do you read?

    What television programs do you usually watch?

PREVIOUS JURY SERVICE

28. Have you ever had any jury experience before?

    {If so}

    a. On how many juries have you served?

    b. Were you the foreman?

29. Were these in criminal or civil cases?

    a. Was there a verdict?

    b. IF CRIMINAL: Did you know there is a difference between how criminal cases and civil cases are decided?

    In that criminal case do you remember hearing the term, beyond a reasonable doubt?

30. What kind of case was it?

31. Was it state or federal?

32. Did any of the criminal cases you heard in previous jury duty place any burdens on your capacity to be able to sit on future cases, or did it make you cynical about criminal trials?

33. Was there anything about your previous jury experience that would lead you to feel that you may have some prejudices either for the prosecution or against the prosecution?

34. Have you or anyone close to you ever been involved in a lawsuit or a court case of any kind, as a witness or a plaintiff or a defendant?

    What kind of case was it?

    Did you/they have to go to court?

    Did you/they testify?

    Were you/they satisfied with the verdict?

    How did you feel about how the legal system worked in that case?

    How do you think that experience will influence you being a juror in this case?

    Might you tend to identify more with the defendant because you were a defendant?

35. Have you ever sat as a juror in a case in which the judge commented on the verdict after it was announced?

PREVIOUS CONTACT WITH LAW ENFORCEMENT

36. Have you or any relatives, friends, neighbors or acquaintances ever been involved in any sort of criminal offense?

    a. (If so), would that experience affect your judgment in this case in any way?

37. Have you or any relatives, friends, neighbors, or acquaintances ever been involved in police work, such as policemen, deputy sheriffs, federal agents, prosecutors and the like?

    a. (If so), is there anything about your experience, or your relationship or discussions with them which would affect your approach to this case?

38. Would you treat the testimony of a police officer or federal agent as being more believable simply because of their occupation?

39. Have you or any friends, relatives, neighbors or acquaintances ever been either victims of a crime or charged with a crime?

    a. (If so), would your judgment in this case be affected in any way by that experience?

40. Has your business or employer ever been sued?

JUROR'S WILLINGNESS TO FOLLOW INSTRUCTIONS

41. Will you follow the Court's instructions to the jury strictly, whether you agree with them or not?

42. Do you understand that the burden of proof is exclusively on the prosecution and that evidence must show guilt beyond a reasonable doubt or you must acquit?

43. Do you agree with that principle?

44. Do you understand that the defendant is presumed innocent and that the presumption is sufficient to require a verdict of not guilty unless it is overcome by proof beyond a reasonable doubt?

45. Do you agree with that principle?

46. Would you freely vote not guilty if you were not satisfied that the evidence established guilt beyond a reasonable doubt?

47. Do you understand that in a criminal case the defendant has absolutely no obligation to produce any evidence, to prove his or her innocence, to testify, or to satisfy any burden of proof?

48. Do you agree with that principle of law, and will you apply it in this case exactly as the Court instructs you?

49. As you sit there now do you have any opinion about this case, or as to what the result should be?

50. Do you realize that you must reach a verdict strictly upon the evidence that is produced in the courtroom, or the lack of evidence, and you must not let any other influence whatsoever have an affect upon your deliberations?

51. Do you understand that the fact that an Indictment has been filed in this case is no evidence whatsoever of the guilt of the accused.

52. Do you realize that an Indictment is merely a formal method of beginning legal proceedings, and no inference of guilt may be drawn from the fact of accusation?

53. Do you understand that the filing of an accusation in no way overcomes the presumption of innocence, but that presumption stays with the accused throughout the trial unless and until it is overcome by proof beyond a reasonable doubt?

PRE-TRIAL PUBLICITY

54. What have you heard about this case? What did you think about it?

55. Did it make you think the defendant was guilty? Why or Why not?

PREVIOUS CONTACT WITH PARTICIPANTS IN CASE

56. Do any of you know the defendant, **Paula Petruk**?

57. She is represented by **Andrea George / Scott Tilsen.** Do any of you know her/him?

58. The government is represented by **Michelle Jones**, Assistant United States Attorney. Do any of you know her? Are any of the members of the United States Attorney's Office known to you?

59. Do any of you have friends or relatives employed by the United States in any capacity; by any law enforcement agency; federal, state or local?

60. The attorneys inform me that the following people might be called to testify in this case. (It is requested that the Court read the jury a list of the prospective witnesses).

    a. Do you know any of the persons whom I have named?

    b. What is the nature of your relationship with them?

    c. Do you feel that you would find their testimony either more believable or less believable based upon your relationship with the witness?

    d. Do you feel that your relationship with the witness would have any effect whatsoever on the way in which you treat the witnesses' testimony?

MISCELLANEOUS LEGAL QUESTIONS

61. You will be hearing testimony from (law enforcement personnel, government agents). Do you understand that you are not to give their testimony any more weight than you would the testimony of a "regular" witness?

Do any of you think that you would tend to think that their testimony must be more believable simply because they are employed by the government as a law enforcement agent (or specific type of agent)?

62. Do you believe that our criminal justice system favors the wealthy?

63. Would (any of) you prefer, for any reason, not to sit on the jury in this case?

64. Are (each of) you in such a fair and impartial state of mind that you would be satisfied to have a jury possessing your mental state judge the evidence if you or your loved ones were on trial here?

65. If you came to the conclusion that the prosecution had not proven the guilt of Ms. Petruk beyond a reasonable doubt, and you found that a majority of the other jurors believed that he was guilty, would you change your verdict only because you were in the minority or would you stand by your own opinion?

66. Would you give Ms Petruk the benefit of your own individual judgment in arriving at a verdict in this case?

67. Now, in a criminal case a defendant has the right not to testify, not to take the witness stand. Do any of you believe that a defendant who does not testify must be guilty, or is more likely to be guilty than a defendant who does not testify?

68. If the defense does not present any witnesses of its own, and if, instead, we rely solely on the cross-examination of government witnesses to present our side of the case, would that cause you to conclude that my client is guilty?

[If the defendant will testify:]

69. Do you have any difficulty with the rule of law that says that any person who takes the witness stand has equal dignity with any other person who takes the witness stand? If my client were to testify, would you give his testimony the same weight and credit that you would give to any other witness?

[If the defendant will testify and he has a criminal record]

[Defendant's relatives will testify:]

70. You may hear from Ms Petruk's (relatives) when the defense has an opportunity to present evidence. Would any of you disbelieve these witnesses merely because they are related to him?

71. Are there any among you who think that because ______ is Ms. Petruk's (relative), his/her testimony is entitled to less belief than that of someone unrelated to Ms. Petruk?

NUMBER OF COUNTS

72. As you have been told, Ms. Petruk is charged by indictment with several counts. Does the mere fact that there are several charges cause any of you to believe that Ms.Petruk is probably guilty of one, or some, of them?

Dated: January 19, 2005

Respectfully submitted,

s/ Andrea K. George

____

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